

Application Number 09/893,823  
Amendment dated August 22, 2005  
Responsive to Office Action mailed May 23, 2005

### **REMARKS**

This communication is responsive to the Office Action dated May 23, 2005. Applicant has not amended claims. In the Office Action, the Examiner incorrectly referred to claims 1-60. Applicant respectfully points out that in an Amendment dated May 17, 2004, Applicant canceled claim 6. Consequently, claims 1-5 and 7-60 are currently pending. For purposes of this response, Applicant will address pending claims 1-5 and 7-60.

### **Claim Rejection Under 35 U.S.C. § 103**

In the Office Action, the Examiner rejected claims 1-5 and 7-60 under 35 U.S.C. 103(a) as being unpatentable over Follendor, III (US 6,802,013) in view of Sasagawa et al. (US 6,771,645). Applicant respectfully traverses the rejection. The applied references fail to disclose or suggest the inventions defined by Applicant's claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed invention.

Before addressing the Examiner's particular rejections, a review of Applicant's invention appears to be in order. As described in the present application, Applicant's label management system relates to generating labeling and other printed material for packages. As one example, on pg. 1, ll. 26-28, the present application states: "the techniques provide a central system for controlling the printed output material that the organization applies to packaging and manufactured products."

In contrast, the references cited by the Examiner have nothing to do with labels or other printed output material to be applied to packaging and manufactured products. For example, Follendore, III (herein, "Follendore") describes a cryptographic access and labeling system. Specifically, Follendore uses the term "label" to mean words or information that are related to a message to be encrypted by an encryption computer system, where the "label" is encrypted and removably attached to the message.<sup>1</sup> Thus, Follendore is in no way related to generating labels for manufactured products.

Sasagawa et al. is similarly entirely unrelated to Applicant's claimed invention. Sasagawa et al. describes a label switching router used for Multi-Protocol Label Switching

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<sup>1</sup> Follendore, col. 1, ll. 23-26.

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(MPLS). MPLS is a protocol used by routers for transmitting electronic data packets across a network, such as the Internet. More specifically, Sasagawa et al. describes a label switching router that prevents a collision of "labels" and which improves a label availability.<sup>2</sup> Sasagawa et al. uses the term "label" to refer to an identifier prepended to a packet for determining parameters required for the forwarding of the data packet.<sup>3</sup> Again, Sasagawa et al. is in no way related to generating labeling for manufactured products.

#### *Claims 1-5*

In rejecting claim 1, the Examiner cited col. 5, ll. 35 – ll. 50 of Follendore. However, the cited portions of Follendore are silent with respect to numerous elements of Applicant's claim 1. As one example, the cited portion of Follendore does not even mention, let alone teach or suggest, an output manager that receives input from multiple users and permits the users to selectively access label records for printing on label media to be affixed to different products. Moreover, per the Examiner's request, the Applicant has considered Follendore in its entirety, and determined that Follendore is entirely silent with respect to an output manager that permits users to selectively access label records for printing on label media to be affixed to different products, as required by claim 1.

With respect to claim 4, the Examiner implicitly acknowledges that Follendore fails to teach or suggest a label record manager that presents an interface by which a user can check-in and check-out a label record for revision, as recited by claim 4. Nevertheless, the Examiner rejects Applicant's claim 4 in view of Sasagawa et al.

However, Sasagawa et al. does nothing to address these basic deficiencies of Follendore. Sasagawa et al. fails to teach or suggest any of the elements of Applicant's claims. As but one of many examples, contrary to the Examiner's assertion, Sasagawa et al. fails to describe a revision control module of the label record manager that presents an interface by which a user can "check-in and check-out" a label record for revision, as required by claim 4. In fact, Sasagawa et al. describes no mechanism for modifying labels at all, let alone an interface by which a user can check-in and check-out labels for revision.

<sup>2</sup> Sasagawa et al., col. 4, ll. 64–67.

<sup>3</sup> Sasagawa et al., col. 1, ll. 27–31.

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#### ***Claims 7-12***

For reasons similar to those set forth above, Follendore in view of Sasagawa et al. fails to teach or suggest storing label records and associated label data, generating images of labels based on the label records and associated label data, and archiving the images with corresponding date and time stamps, as required by claim 7. Follendore, for example, makes no mention of archiving images of labels, let alone archiving the images with date and time stamps. Sasagawa et al. is entirely unrelated to the elements of claims 7-11.

The Examiner is incorrect in his characterization of Follendore with respect to these elements of Applicant's independent claim 7. Follendore fails to even mention generation of images based on label data, let alone mechanisms for archiving the images with corresponding data and time stamps. Applicant specifically requests the Examiner particularly identify the sections relied upon in rejecting claims 7-12.

#### ***Claims 13-23***

Neither Follendore nor Sasagawa et al. teach or suggest storing label records having a publication status, presenting an interface for setting the publication status of the label record, and printing a label at one of a plurality of output locations based on the label record and the publication status, as required by claim 13. In fact, neither Follendore nor Sasagawa et al. make any mention of a publication status associated with a label record. Moreover, the Examiner failed to even comment on these elements of Applicant's independent claim 13. Applicant specifically requests the Examiner particularly identify the sections relied upon in rejecting claims 13-23.

#### ***Claims 24-30, 41-44, 57-60***

Claim 24 recites a label management software system comprising a database storing configuration data defining an organization having a number of business units and manufacturing facilities, wherein the label management system creates a label record associated with one of the business units, and selectively prints a label at one of the manufacturing facilities based on the

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label record and the associated business units. Claim 27 recites associating label records with business units, and printing a label at one of the manufacturing facilities according to the selected label record and the associated business unit.

Neither Follendore nor Sasagawa et al. teach or suggest a label management software system that selectively prints a label at different manufacturing facilities according to a business unit associated with a label record. In fact, in direct contrast with these claim elements, Follendore specifically describes a system in which a subroutine "presents data to a user on a monitor 140, and or prints out the data on a connected printer."<sup>44</sup> Thus, Follendore does not describe a system capable of printing a label at different manufacturing facilities, let alone a system that selectively prints the label at different manufacturing facilities based on a business unit associated with a label record, as required by claim 24.

Additionally, Sasagawa et al. makes no mention of printing whatsoever. Clearly, neither Follendore nor Sasagawa et al. teach or suggest a label management software system that selectively prints a label at different manufacturing facilities according to a business unit associated with a label record.

#### ***Claims 31-40***

Claim 31 recites a system comprising a database storing label records and associated archived images of labels. The system further comprises an output module to print a label from a selected one of the label records, wherein the output module includes an interface for presenting the archived label image associated with the selected label record.

Follendore and Sasagawa et al. are entirely silent with respect to archiving images of labels, and an interface for presenting the archived images of labels, as required by claim 31. As described above, Follendore and Sasagawa et al. fail to describe management of label images at all, let alone an output module that includes an interface for presenting archived label images associated with a label record.

Similarly, none of the cited references teach or suggest displaying the archived label image associated with the selected label record for verification by a user; and printing a label upon receiving input indicative of the verification, as required by claim 34. Again, it appears

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that the Examiner has completely overlooked these elements. Applicant requests the Examiner particularly identify the sections relied upon in rejecting these claims, as is required.

#### *Claims 45-47*

Claim 45 recites a label management system comprising a template design tool to create the label templates, wherein the template defines one or more fields; a graphics design tool to create graphics; a template manager software module to parse the templates and store the templates and field information within the database; a graphics manager to receive the graphics from the graphics design tool and store corresponding graphical data within the database; a label record manager software module presenting an interface to create label records for associating the graphics and text within the fields of the label template; and an output manager software module for printing a label based on a selected one of the label records and the associated graphics and text.

As discussed above, unlike the requirements of claim 45, none of the cited references describe a system for creating or printing labels, let alone creating labels based on both graphics and text.

#### *Claims 48-56*

Claim 48 describes a label management system for managing label records for multiple organizations. As recited in claim 48, the label management system comprises a database storing configuration data defining the plurality of organizations, each organization having at least one group and at least one output location. Claim 48 further recites a plurality of software modules executing on computing devices coupled to the database, wherein the software modules present an interface by which each authorized users of the groups create label records and selectively print the labels at the corresponding output location for the organizations.

Claim 51 describes a method for providing a label management service and recites storing configuration data defining a plurality of organizations, each organization having at least one group and at least one output location, presenting an interface for by which each authorized

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<sup>4</sup> Follendore, col. 18, ln. 62-col. 19, ln. 1 (emphasis added).

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users of the groups create label records, and in response to input from the users, selectively printing labels at the corresponding output locations for the organizations.

Clearly, neither Follendore nor Sasagawa et al. teach or suggest a system capable of selectively printing a label at different output locations for different organizations, as required by claims 48 and 51.

Of course, the claims dependent on the independent claims incorporate all of the limitations of the respective base claims, and therefore are patentable for at least the reasons expressed above. For at least these reasons, the Examiner has failed to establish a prima facie case for non-patentability of Applicant's claims 1-5 and 7-60 under 35 U.S.C. 103(a).

Withdrawal of this rejection is requested.

### CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

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By:

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